

Senate File 48 - Introduced

SENATE FILE _____
BY COMMITTEE ON NATURAL
RESOURCES AND ENVIRONMENT

(SUCCESSOR TO SF 3)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act concerning the limitation of actions for prosecution of
2 violations under certain statutes administered by the natural
3 resource commission.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

5 TLSB 1050SV 82

6 av/je/5

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1 1 Section 1. NEW SECTION. 481A.32A LIMITATION OF CRIMINAL
1 2 ACTIONS.

1 3 1. Notwithstanding section 802.4 or any other provision of
1 4 law to the contrary, prosecution for a violation of this
1 5 chapter or chapter 481B, 482, 483A, 484A, 484B, or 484C, which
1 6 is a simple misdemeanor, shall be commenced within three years
1 7 after its commission.

1 8 2. When a person leaves the state after committing a
1 9 violation as set forth in subsection 1, prosecution for the
1 10 violation may be commenced within three years after the person
1 11 returns to the state, and no period during which the party
1 12 charged was not publicly resident within the state shall
1 13 constitute part of the three-year limitation period.

1 14 EXPLANATION

1 15 This bill provides that prosecution for simple misdemeanor
1 16 violations of Code chapters 481A (wildlife conservation), 482
1 17 (commercial fishing), 483A (fishing and hunting licenses,
1 18 contraband, and guns), 484A (migratory game birds), 484B
1 19 (hunting preserves), or 484C (preserve whitetail), which are
1 20 administered by the natural resource commission, shall be
1 21 commenced within three years after commission of the
1 22 violation.

1 23 The bill provides that if a person leaves the state after
1 24 committing such a violation, prosecution for the violation may
1 25 be commenced within three years after the person returns to
1 26 the state, and the period during which the person charged was
1 27 not publicly resident within the state does not count as part
1 28 of the three-year limitation period.

1 29 Currently, a prosecution for such a violation that is a
1 30 misdemeanor must be commenced within one year after commission
1 31 of the violation.

1 32 LSB 1050SV 82

1 33 av:nh/je/5